

JUL 21 2005

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Large Entity)**Docket No.
BERE-1002US

In Re Application Of: Price et al.

Application No. 09/402,446	Filing Date 01/18/2000	Examiner Jana A. Hines	Customer No. 21302	Group Art Unit 1645	Confirmation No. 5954
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Invention: **INTRAVENOUS IMMUNE GLOBULIN FORMAULATIONS CONTAINING A NON-IONIC SURFACE ACTIVE AGENT WITH IMPROVED PHARMACOKINETIC PROPERTIES**

COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of May 31, 2005 in the above-identified application.

Date
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated May 31, 2005 finally rejecting Claim(s) 74-80

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month Two months Three months Four months Five months

from: May 24, 2005 *Date* until: July 24, 2005 *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$500.00

Fee for Extension of Time: \$450.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$950.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

Please charge Deposit Account No. 50-0462 in the amount of \$950.00

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0462

Any additional filing fees required under 37 C.F.R. 1.18.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0462

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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Jul. 21. 2005 3:28PM KNOBLE YOSHIDA & DUNLEAVY LLC

No. 6512 P. 2

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Invention: INTRAVENOUS IMMUNE GLOBULIN FORMAULATIONS CONTAINING A NON-IONIC SURFACE ACTIVE AGENT WITH IMPROVED PHARMACOKINETIC PROPERTIES

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated:

7/21/05

Tod A. Kupstas; Reg. No. 54,917
KNOBLE YOSHIDA & DUNLEAVY, LLC
EIGHT PENN CENTER, SUITE 1350
1628 JOHN F. KENNEDY BOULEVARD
PHILADELPHIA, PA 19103

Certificate of Transmission by Facsimile*

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July 21, 2005

(Date)


Signature

NATALIE SORRENTINO

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a) on

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